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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/016,679

Applicant(s)

PROBST ET AL.

Examiner

Cam Y T. Truong

Art Unit

2162

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 54-57 and 63-77 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 54-57, 63-77 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Applicant's election of group II claims 54-57 and 63-77 in the reply filed on 5/1/2008 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Claims 54-57 and 63-77 are pending in this Office Action.

Response to Arguments

2. Applicant's arguments with respect to claims 54-57 and 63-77 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argued that Independent claims 45 and 54 have been amended to define a computer readable medium storing data to be read by a computer processing system. The stored data comprises a server application program and a document type definition (DTD) for use in storing, retrieving, searching, or tracking digital assets in a database. Support these amendments is found in applicants' FIG. 4 (note server application 404) and specification, page 11, line 23, to page 12, line 6. Thus, claim 54 is statutory.

Examiner respectfully disagrees because the term "the computer readable medium" is not limited by any storage medium according to the specification; thus, the computer readable medium is interpreted as network medium. As such, the claim is drawn to a form of energy. Energy is not one of the four categories of invention and therefore this claim(s) is/are not statutory. Energy is not a series of steps or acts and

Art Unit: 2162

thus is not a process. Energy is not a physical article or object and as such is not a machine or manufacture. Energy is not a combination of substances and therefor not a composition of matter.

Claim Objections

3. Claim 54 is objected to because of the following informalities: The phrase "the different types of digital assets" should be written as "the at least three different types of digital assets". Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:
- The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 54-57 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The phrase "the computer processing system causes the parser to access the DTD, the query language utility to convert a demand containing user entered search parameters for information pertaining the digital assets into a query to be transmitted to the database, and the style sheet processor to convert search results returned from the

database into a style sheet for input to a client application" in claim 54 was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s).

According to claim 54, the phrase "the different types of digital assets" is intended as ""the at least three different types of digital assets".

Thus, the phrase "the different types of digital assets including photographic, audio, promo, video, movie, and voiceover digital assets" in claim 54, was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s).

The dependent claims 55-57 are rejected under same reason as discussed in claim 54.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

The claims 54-77, fail to place the invention squarely within one statutory class of invention. On page 11, line 12 of the instant specification, applicant has provided evidence that applicant intends the "medium" to include network. As such, the claim is drawn to a form of energy. Energy is not one of the four categories of invention and therefore this claim(s) is/are not statutory. Energy is not a series of steps or acts and thus is not a process. Energy is not a physical article or object and as such is not a

Art Unit: 2162

machine or manufacture. Energy is not a combination of substances and therefor not a composition of matter.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 54, 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Montgomery and Kimoto (US 6792577) and Madnick (US 6282537).

As to claim 54, Huang teaches the claimed limitations:

"computer readable medium storing data to be read by a computer processing system, the data comprising a server application program and a document type definition (DTD) for use in storing, retrieving, searching, or tracking at least three different types of digital assets" DTDs for use in searching data such as images, animation, video, audio or movie in a database (col. 1, lines 55-67; col. 7, lines 40-41; col. 7, lines 50-55),

"each digital asset comprising content and metadata" as (col. 7, lines 50-55),

"the DTD defining the structure of the metadata with declared elements and attributes for the three different types of digital assets, the different types of digital

assets including photographic, audio, promo, video, movie" as the DTD provides a list of the elements, tags, attributes, and entities contained in the document. This document contains two types audio and animation (col. 7, lines 50-55; col. 15),

"the server application program comprising modules for a parser, a query language utility, and when executing the server application, the computer processing system causes the parser to access the DTD," as shown in fig. 9, when a user inputs a synthetic audiovisual data query through the query interface and search tools 950, the search tools send the query to a query to pseudo features converter 945 that maps the query to pseudo features and submit the pseudo features to the server 900 over the network 930. The network 930 may be a public or private network, for example, any conventionally known intranet or the Internet. Once received in the server 900, the pseudo features are converted to pseudo description using the pseudo features to pseudo description converter 905. The search engine 910 uses the pseudo description to access the descriptions stored in the descriptions database 930. The search engine 910 then retrieves synthetic audiovisual content stored in database 920 and associated with a description(s) stored in the database 930 that most closely match the pseudo description. The search engine 910 then provides the retrieved synthetic audiovisual content to the client terminal via the network 930, the synthetic audiovisual content browser 970 and the query interface and search tools 950 (col. 13, lines 15-25).

Huang does not explicitly teaches the claimed limitation "stored in a single medium, and voiceover digital assets, a style sheet processor, and the query language utility to convert a demand containing user entered search parameters for information pertaining to the digital assets into a query to be transmitted to the database, the style sheet processor to convert search results returned from the database into a style sheet for input to a client application ".

Montgomery teaches storing photographs, audio, voiceovers 492 in a disk (fig. 4B; col. 8, lines 1-10; col. 8, lines 30-35).

Kimoto teaches is document object is converted by a conversion program called an "XSL processor". The XSL processor converts an XSL document into, for example, a script form and converts a document object into an expression form in conformance with the description of an XSL document. For example, a document described in an advanced XML format can be converted into a document of an HTML form which can be browsed by what is commonly called an "HTML browser", or can be converted into a custom document which can be browsed by a custom browser other than HTML (fig. 17, col. 3, lines 20-30).

Madnick teaches converting user's query into sub-queries (fig. 6).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Montgomery's teaching of storing photographs, audio, voiceovers 492 in a disk and Kimoto teaching of using the style sheet processor to convert document into another format and Madnick's teaching of converting user's request into sub-queries to Huang's system in order to allow a view to manipulate voice

Art Unit: 2162

for motion video or any different type of multimedia data and to track usage of digital content on user devices quickly and further to provide a technology for effectively managing style sheets and a protection technology capable of preventing use without permission of style sheets are desired.

As to claim 55, Huang does not explicitly teach the claimed limitation "wherein the query language utility is a structured query language (SQL) utility and the style sheet processor is an extensible style sheet language (XSL) processor".

Madnick teaches SQL (abstract). Kimoto XSL (col. 3, lines 20-30).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Madnick's teaching of SQL, Kimoto's teaching of XSL to Huang's system in order to minimize the use of hardware resources and user input.

8. Claims 56-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Montgomery, Kimoto, Madnick (US 6282537) and further in view of Baru.

As to claim 56, Huang does not explicitly teach the claimed limitation "wherein the DTD further defines declared elements and attributes for rights management of at least two different ones of the photographic, audio, promo, and voiceover digital assets".

Baru teaches DTD includes attribute for rights management for graphic and video (col. 39; col. 11, lines 20-67).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Baru's teaching of DTD includes attribute for rights management to Huang's system in order to search, filter and browser a specific type of information based on user's desire in a personalized, effective manner and further to prevent hackers or crackers to modify digital media file without permission.

As to claim 57, Huang does not explicitly teach the claimed limitation "wherein the rights management metadata comprises at least one of: a contract identifier; an availability start date; an availability end date; an allowed number of plays per agreement; a copyright holder identifier and a worldwide rights identifier".

Baru teaches contact name as contact identifier (col. 39).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Baru's teaching of contact name to Huang's system in order to prevent hacker or cracker to record video data without permission.

9. Claims 63-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sezan in view of Madnick (US 6282537).

As to claim 63, Sezan teaches the claimed limitations:

"a server comprising application software and a database, the database storing at least three different types of digital assets, the different types of digital assets selected from the group consisting of photographs, movies, audio recordings, video

recordings, graphics, and text documents, each digital asset comprising content and metadata" as (col. 19-col. 20, col. 5, lines 30-35);

" a document type definition (DTD) accessible by the server application software, the DTD defining the structure of each different type of digital asset stored in the database declared elements and attributes" as (col. 4, lines 5-40; col. 14, lines 45-56);

"search and retrieval software for searching and retrieving one or more of the different types of digital assets from the database, the search and retrieval software requiring a user to enter as search criteria one or more the different digital asset types; and processor coupled to server and operative to execute the search retrieval software " as (col. 9, lines 9-45).

Sezan does not explicitly teach "to convert search criteria entered by a user into a demand for database information and convert responses received from server into a format for display to the user".

Madnick teaches method according to the invention queries both structured and semi-structured data sources. The method includes translating a data request into a query, converting at least a portion of the query into a stream of commands, issuing the commands to the semi-structured data sources, extracting data from the data sources, and translating the retrieved data. The data request, which has an associated data context, is translated into the query which has a data context that matches the data source to be queried. At least a portion of that query is converted into one or more commands which can be used to interact with a semi-structured data source. Those commands are issued

and data is extracted from the data source. Extracted data is then translated from the data context associated with the data source into the data context associated with the initial request (col. 3, lines 5-15).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Madnick's teaching of converting user's request into a command and converting results into a format for displaying results to a users to Sezan's system in order to allow a user to search different types of data in different formats or a plurality of heterogeneous database via Internet quickly and further allow a user to view search results that are retrieved from different sources in different formats efficiently.

As to claim 64 , Sezan teaches the claimed limitation "the server application software comprise a parse, the parser operative to retrieve the structure defined in the DTD" as (col. 19-col. 20, col. 5, lines 30-35).

As to claim 65 , Sezan teaches the claimed limitation "...a definition for black/white; a definition for color; a definition for caption and a definition for legal restrictions associated with a photograph" as the management may include the capabilities of a device for providing the audio, video, and/or images. Such capabilities may include, for example, screen size, stereo, AC3, DTS, color, black/white (col. 6, lines 25-30).

10. Claim 66 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sezan in view of Madnick and further in view of Foreman et al (or hereinafter "Foreman") (USP 6628303).

As to claim 66, Sezan does not explicitly teach the claimed limitation "...a definition for music; a definition for track title; a definition for duration; a definition for compact disc (CD) number; a definition for CD title; and a definition for rights issues regarding use of an audio recording". Foreman teaches Title track, duration (fig. 6).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Foreman's teaching of title track, duration to Sezan's system in order to provide information about programming available on such systems to a user and save time for viewers search/view information.

11. Claim 67 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sezan in view of Madnick (US 6282537) and further in view of Baru.

As to claim 67, Sezan does not explicitly teach the claimed limitation "wherein the rights management metadata comprises at least one of: a contract identifier; an availability start date; an availability end date; an allowed number of plays per agreement; a copyright holder identifier and a worldwide rights identifier".

Baru teaches contact name as contact identifier (col. 39).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Baru's teaching of contact name to Sezan's system in order to prevent hacker or cracker to record video data.

12. Claims 63-64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth in view of Madnick.

As to claim 63, Sheth teaches the claimed limitations:

"server comprising application software and a database, the database storing at least three different types of digital assets, the different types of digital assets selected from the group consisting of photographs, movies, audio, recordings, video recordings, graphics, and text documents, each digital asset comprising content and metadata" as (fig. 2, fig. 10, col. 14, lines 45-65);

"a document type definition (DTD) accessible by the server application software, the DTD defining the structure of each different type of digital asset stored in the database declared elements and attributes" as (col. 16, lines 55-67; fig. 6 & 9-10);

"search and retrieval software for searching and retrieving one or more of the different types of digital assets from the database, the search and retrieval software requiring a user to enter as search criteria one or more the different digital asset types; and processor coupled to server and operative to execute the search retrieval software (fig. 1, col. 19, lines 20-40; col. 20, lines 20-45; col. 4, lines 20-40).

Sheth does not teach the claimed limitation "to convert search criteria entered by a user into a demand for database information and convert responses received from server into a format for display to the user".

Madnick teaches method according to the invention queries both structured and semi-structured data sources. The method includes translating a data request

into a query, converting at least a portion of the query into a stream of commands, issuing the commands to the semi-structured data sources, extracting data from the data sources, and translating the retrieved data. The data request, which has an associated data context, is translated into the query which has a data context that matches the data source to be queried. At least a portion of that query is converted into one or more commands which can be used to interact with a semi-structured data source. Those commands are issued and data is extracted from the data source. Extracted data is then translated from the data context associated with the data source into the data context associated with the initial request (col. 3, lines 5-15).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Madnick's teaching of converting user's request into a command and converting results into a format for displaying results to a users to Sheth's system in order to allow a user to search different types of data in different formats or a plurality of heterogeneous database via Internet quickly and further allow a user to view search results that are retrieved from different sources in different formats efficiently.

As to claim 64, Sheth teaches the claimed limitation "wherein the first computer readable medium and the second computer readable medium are the same computer readable medium" as (col. 10, lines 6-55).

13. Claim 65 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth in view of Madnick and further in view of Sezan.

As to claim 65, Sheth does not teach the claimed limitation "...a definition for black/white; a definition for color; a definition for caption and a definition for legal restrictions associated with a photograph". Sezan teaches the management may include the capabilities of a device for providing the audio, video, and/or images. Such capabilities may include, for example, screen size, stereo, AC3, DTS, color, black/white (col. 6, lines 25-30).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Sezan's teaching of color back/white to Sheth's system in order to permit a user can control color of image or movie following user's desire and understand the meaning of movie.

14. Claim 66 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth in view of Madnick and further in view of Foreman et al (or hereinafter "Foreman") (USP 6628303).

As to claim 66, Sheth does not explicitly teach the claimed limitation "...a definition for music; a definition for track title; a definition for duration; a definition for compact disc (CD) number; a definition for CD title; and a definition for rights issues regarding use of an audio recording". Foreman teaches Title track, duration (fig. 6).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Foreman's teaching of title track, duration to Sheth's

system in order to provide information about programming available on such systems to a user and save time for viewers search/view information.

15. Claim 67 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth in view of Madnick and Baru.

As to claim 67, Sheth does not explicitly teach the claimed limitation ".....wherein the rights management metadata comprises at least one of: a contract identifier; an availability start date; an availability end date; an allowed number of plays per agreement; a copyright holder identifier and a worldwide rights identifier".

Baru teaches contact name as contact identifier (col. 39).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Baru's teaching of contact name to Sheth's system in order to prevent hacker or cracker to record video data.

16. Claims 68-71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sezan in view of Baru and Madnick (US 6282537).

As to claim 68, Sezan teaches the claimed limitations:

"a server comprising application software and a database, the database storing a plurality of digital assets of different types, the different types including photographs, movies, audio recordings, video recordings, graphics, and text documents, each asset comprising content and metadata, the digital assets stored in the database comprising a

photograph, a video recording, and a text document" as (col. 19-col. 20, col. 5, lines 30-35);

"a first computer readable medium comprising a single data definitions file accessible by the server application software, the data definitions file defining the data structure of each type of digital asset stored in the database" (col. 14, lines 45-65, fig. 2);

"a second computer readable medium comprising search and retrieval software for searching and retrieving one or more the different types of digital assets from the database, the search and retrieval software requiring a user to enter as search criteria one or more of the different digital assets types, a processor coupled to the server to operative to execute the search retrieval software " as (col. 9, lines 9-45).

Sezan does not explicitly teach the claimed limitation "the metadata comprising rights management information; to convert search criteria entered by a user into a demand for database information and to display results returned from the server ".

Baru teaches DTD includes attribute for rights management for graphic and video (col. 39; col. 11, lines 20-67). The various DTDs, on all levels, prescribe the requisite format of compliant content instances, but not the content itself or its manner of presentation. The topic DTDs and their progeny provide that compliant content includes one, multiple, or all of the following media types: text, short form text, audio, video, graphics images, etc. (abstract, col. 15, lines 30-40; col. 5, lines 30-50)

Madnick teaches method according to the invention queries both structured and semi-structured data sources. The method includes translating a data request into a query, converting at least a portion of the query into a stream of commands, issuing the commands to the semi-structured data sources, extracting data from the data sources, and translating the retrieved data. The data request, which has an associated data context, is translated into the query which has a data context that matches the data source to be queried. At least a portion of that query is converted into one or more commands which can be used to interact with a semi-structured data source. Those commands are issued and data is extracted from the data source. Extracted data is then translated from the data context associated with the data source into the data context associated with the initial request (col. 3, lines 5-15).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Baru's teaching of DTD includes attribute for rights management and the various DTDs, on all levels, prescribe the requisite format of compliant content instances, but not the content itself or its manner of presentation. The topic DTDs and their progeny provide that compliant content includes one, multiple, or all of the following media types: text, short form text, audio, video, graphics images, Madnick's teaching of converting user's request into a command and converting results into a format for displaying results to a users to Sezan's system in order to allow a user to search different types of data in different formats or a plurality of heterogeneous database via Internet quickly, allow a user to view search results that

Art Unit: 2162

are retrieved from different sources in different formats efficiently and further to search, filter and browser a specific type of information based on user's desire in a personalized, effective manner and further to prevent unauthorized users to modify digital media file.

As to claim 69, Sezan teaches the claimed limitation "the data definitions file comprises a document type definition (DTD)" as (col. 19-col. 20, col. 5, lines 30-35).

As to claim 70, Sezan teaches the claimed limitation "...a definition for black/white; a definition for color; a definition for caption and a definition for legal restrictions associated with a photograph" as the management may include the capabilities of a device for providing the audio, video, and/or images. Such capabilities may include, for example, screen size, stereo, AC3, DTS, color, black/white (col. 6, lines 25-30).

As to claim 71, Sezan does not explicitly teach the claimed limitation ".....wherein the rights management metadata comprises at least one of: a contract identifier; an availability start date; an availability end date; an allowed number of plays per agreement; a copyright holder identifier and a worldwide rights identifier".

Baru teaches contact name as contact identifier (col. 39).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Baru's teaching of contact name to Sezan's system in order to prevent hacker or cracker to record video data.

17. Claims 72 and 76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth in view of Baru, Jacobs and Madnick.

As to claim 72, Sheth teaches the claimed limitations:

"a server comprising application software and a database, the database storing four types of digital assets, the four types including photographs, movies, and audio recording" as (figs. 1-6 & 11, col. 8, lines 20-45);

"a document type definition (DTD) accessible by the server application software, the DTD defining the structure of the four types of digital assets with declared elements and attributes" as (fig. 2, fig. 10, col. 14, lines 45-65).;

"searching and retrieved software for searching and retrieving one or more of the four types of digital assets from the database, the search and retrieval software requiring a user to enter as search criteria one or more of the four digital assets types; a processor coupled to the server and operative to execute the search retrieval software" as (fig. 1, col. 19, lines 20-40; col. 20, lines 20-45; col. 4, lines 20-40).

Sheth does not explicitly teach the claimed limitation "promos, each digital asset comprising content and metadata, the metadata comprising rights management information and to convert search criteria entered by a user into a demand for database information and to display results returned from the server".

Madnick teaches method according to the invention queries both structured and semi-structured data sources. The method includes translating a data request into a query, converting at least a portion of the query into a stream of commands, issuing the commands to the semi-structured data sources, extracting data from the data sources, and translating the retrieved data. The data request, which has an associated data context, is translated into the query which has a data context that matches the data source to be queried. At least a portion of that query is converted into one or more commands which can be used to interact with a semi-structured data source. Those commands are issued and data is extracted from the data source. Extracted data is then translated from the data context associated with the data source into the data context associated with the initial request (col. 3, lines 5-15).

Baru teaches DTD includes attribute for rights management for graphic and video recording (col. 39, col. 11, lines 20-67). DTD includes attribute for rights management for graphic and video (col. 39; col. 11, lines 20-67). The various DTDs, on all levels, prescribe the requisite format of compliant content instances, but not the content itself or its manner of presentation. The topic DTDs and their progeny provide that compliant content includes one, multiple, or all of the following media types: text, short form text, audio, video, graphics images, etc. (abstract, col. 15, lines 30-40; col. 5, lines 30-50).

Jacobs teaches storing advertisements on a storage medium. The advertisements include promo sports, graphical, audio, and video (page 4, col. Left, paragraph [0026]).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Baru's teaching of DTD includes attribute for rights management, Jacobs's teaching of promo sports and Madnick 's teaching of converting a command to Sheth's system in order to allow a user to search/retrieve digital motion video or video image in a database quickly and allow a view to manipulate voice for motion video or any different type of multimedia data easily and to search a portion of multimedia files via a network easily and quickly or save time searching/retrieving multimedia files in an effective manner and further to unauthorized users search/retrieve or modify digital assets without permission.

As to claim 76, Sheth does not explicitly teach the claimed limitation "wherein the rights management metadata comprises at least one of: a contract identifier; an availability start date; an availability end date; an allowed number of plays per agreement; a copyright holder identifier and a worldwide rights identifier".

Baru teaches contact name as contact identifier (col. 39).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Baru's teaching of contact name to Sheth's sytem in order to unauthorized users to modify the digital file without permission.

18. Claim 73 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth in view of Baru, Jacobs, Madnick and further in view of Bowman-Amuah (or hereinafter "Bowman") (US 20030058277)

As to claim 73, Sheth does not explicitly teach "wherein the processor is part of a workstation, a laptop, or desktop computer coupled to the server via secure transmission lines or a firewall and non-secure transmission lines".

Bowman teaches secure transmission lines firewall (paragraph 1449).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Bowman's teaching of secure transmission lines firewall to Sheth's system in order to protect private data that stored in a server via a network.

19. Claim 74 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth in view of Baru, Jacobs, Madnick and further in view of Sezan.

As to claim 74, Sheth does not teach the claimed limitation "....a definition for black/white; a definition for color; a definition for caption and a definition for legal restrictions associated with a photograph".

Sezan teaches the management may include the capabilities of a device for providing the audio, video, and/or images. Such capabilities may include, for example, screen size, stereo, AC3, DTS, color, black/white (col. 6, lines 25-30).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Sezan's teaching to Sheth's system in order to permit a

user can control color of image or movie following user's desire and understand the meaning of movie.

20. Claim 75 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth in view of Baru, Jaco, Madnick and further in view of Foreman et al (or hereinafter "Foreman") (USP 6628303).

As to claim 75, Sheth does not explicitly the claimed limitation "...a definition for music; a definition for track title; a definition for duration; a definition for compact disc (CD) number; a definition for CD title; and a definition for rights issues regarding use of an audio recording". Foreman teaches Title track, duration (fig. 6).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Foreman's teaching of title track, duration to Sheth's system in order to provide information about programming available on such systems to a user and save time for viewers search/view information.

21. Claim 77 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth in view of Baru, Jacobs, Madnick and further in view of Reimer et al (or hereinafter "Reimer") (USP 6065042).

As to claim 77, Sheth does not explicitly teach the claimed limitation "...wherein DTD defines metadata for movies and metadata attributes for the movie metadata, the movie-metadata attributes comprising at least one of: a definition for title; a definition for version; a definition for rating; a definition for minutes; a definition for release date;

Art Unit: 2162

a definition for run time; a definition for color; a definition for synopsis; a definition for director; a definition for cast; and a definition for allowable usage of a movie".

Reimer teaches the VCR video version 702 includes five frames, whereas the corresponding shot 706 in the theatrical presentation 724 includes four frames. Each frame in the VCR video version 702 includes a unique time code. These time codes are measured from the beginning of the VCR video version 702. Since the number of frames per shot differs in the VCR video version 702 and the theatrical presentation 724, the time codes between the VCR video version 702 and the theatrical presentation 724 also differ (col. 12, lines 50-65).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Reimer's teaching of video version includes an unique time code to Sheth's system in order to allow a viewer to understand meaning of version before select any version of a movie or any media.

22. Claims 72, 74 and 76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sezan in view of Jacobs, Baru, Madnick.

Sezan teaches the claimed limitations:

"a server comprising application software and a database, the database storing four types of digital assets, the four types including photographs, movies, and audio recording" as(col. 19-col. 20, col. 5, lines 30-35);

"a document type definition (DTD) accessible by the server application software, the DTD defining the structure of the four types of digital assets with declared elements and attributes" as (col. 4, lines 5-40; col. 14, lines 45-56);

"searching and retrieved software for searching and retrieving one or more of the four types of digital assets from the database, the search and retrieval software requiring a user to enter as search criteria one or more of the four digital assets types; a processor coupled to the server and operative to execute the search" as (col. 9, lines 9-45).

Sezan does not explicitly teach the claimed limitation "promos, each digital asset comprising content and metadata, the metadata comprising rights management information and retrieval software to convert search criteria entered by a user into a demand for database information and to display results returned from the server".

Madnick teaches method according to the invention queries both structured and semi-structured data sources. The method includes translating a data request into a query, converting at least a portion of the query into a stream of commands, issuing the commands to the semi-structured data sources, extracting data from the data sources, and translating the retrieved data. The data request, which has an associated data context, is translated into the query which has a data context that matches the data source to be queried. At least a portion of that query is converted into one or more commands which can be used to interact with a semi-structured data source. Those commands are issued and data is extracted from the data source.

Extracted data is then translated from the data context associated with the data source into the data context associated with the initial request (col. 3, lines 5-15).

Baru teaches DTD includes attribute for rights management for graphic and video recording (col. 39, col. 11, lines 20-67). DTD includes attribute for rights management for graphic and video (col. 39; col. 11, lines 20-67). The various DTDs, on all levels, prescribe the requisite format of compliant content instances, but not the content itself or its manner of presentation. The topic DTDs and their progeny provide that compliant content includes one, multiple, or all of the following media types: text, short form text, audio, video, graphics images, etc. (abstract, col. 15, lines 30-40; col. 5, lines 30-50).

Jacobs teaches storing advertisements on a storage medium. The advertisements include promo sports, graphical, audio, and video (page 4, col. Left, paragraph [0026]).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Baru's teaching of DTD includes attribute for rights management, Jacobs's teaching of promo sports and Madnick 's teaching of converting a command to Sheth's system in order to allow a user to search/retrieve digital motion video or video image in a database quickly and allow a view to manipulate voice for motion video or any different type of multimedia data easily and to search a portion of multimedia files via a network easily and quickly or save time searching/retrieving multimedia files in an effective manner and further to unauthorized users search/retrieve or modify digital assets without permission.

As to claim 74, Sezan teaches the claimed limitation "...a definition for black/white; a definition for color; a definition for caption and a definition for legal restrictions associated with a photograph" as the management may include the capabilities of a device for providing the audio, video, and/or images. Such capabilities may include, for example, screen size, stereo, AC3, DTS, color, black/white (col. 6, lines 25-30).

As to claim 76, Sezan does not explicitly teach the claimed limitation "wherein the rights management metadata comprises at least one of: a contract identifier; an availability start date; an availability end date; an allowed number of plays per agreement; a copyright holder identifier and a worldwide rights identifier".

Baru teaches contact name as contact identifier (col. 39).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Baru's teaching of contact name to Sezan's system in order to prevent hacker or cracker to record video data.

23. Claim 73 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sezan in view of Baru, Jacobs, Madnick and further in view of Bowman-Amuah (or hereinafter "Bowman") (US 20030058277)

As to claim 73, Sezan does not explicitly teach "wherein the processor is part of a workstation, a laptop, or desktop computer coupled to the server via secure transmission lines or a firewall and non-secure transmission lines".

Bowman teaches secure transmission lines firewall (paragraph 1449).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Bowman's teaching of secure transmission lines firewall to Sezan's system in order to protect private data that stored in a server via a network.

24. Claim 75 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sezan in view of Baru, Jacobs, Madnick and further in view of Foreman et al (or hereinafter "Foreman") (USP 6628303).

As to claim 75, Sezan does not explicitly the claimed limitation "...a definition for music; a definition for track title; a definition for duration; a definition for compact disc (CD) number; a definition for CD title; and a definition for rights issues regarding use of an audio recording". Foreman teaches Title track, duration (fig. 6).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Foreman's teaching of title track, duration to Sezan's system in order to provide information about programming available on such systems to a user and save time for viewers search/view information.

25. Claim 77 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sezan in view of Baru, Jacobs, Madnick and further in view of Reimer et al (or hereinafter "Reimer") (USP 6065042).

As to claim 77, Sezan does not explicitly teach the claimed limitation "wherein DTD defines metadata for movies and metadata attributes for the movie metadata, the movie-metadata attributes comprising at least one of: a definition for title; a definition for version; a definition for rating; a definition for minutes; a definition for release date; a definition for run time; a definition for color; a definition for synopsis; a definition for director; a definition for cast; and a definition for allowable usage of a movie". Reimer teaches the VCR video version 702 includes five frames, whereas the corresponding shot 706 in the theatrical presentation 724 includes four frames. Each frame in the VCR video version 702 includes a unique time code. These time codes are measured from the beginning of the VCR video version 702. Since the number of frames per shot differs in the VCR video version 702 and the theatrical presentation 724, the time codes between the VCR video version 702 and the theatrical presentation 724 also differ (col. 12, lines 50-65).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Reimer's teaching of video version includes an unique time code to Sezan's system in order to allow a viewer to understand meaning of version before select any version of a movie or any media.

Contact Information

26. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam Y T. Truong whose telephone number is (571) 272-4042. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Cam Y Truong/

Primary Examiner, Art Unit 2162

